

*IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE EASTERN DISTRICT OF TENNESSEE  
NORTHERN DIVISION AT KNOXVILLE*

IN RE:

**David A. Ramey**

Case No. **3:18-BK-33725-MPP**  
Chapter 7

Debtor.

**TRUSTEE'S APPLICATION TO EMPLOY AUCTIONEER NUNC  
PRO TUNC**

**NOTICE OF OPPORTUNITY TO OBJECT AND FOR HEARING**

**Notice is hereby given that:**

Pursuant to E. D. Tenn. LBR 9013-1(h), the court may consider this matter without further notice or hearing unless a party in interest files an objection. If you object to the relief requested in this paper, you must file with the clerk of the court at U.S. Bankruptcy Court Clerk's Office Howard H. Baker Jr. U.S. Courthouse 800 Market Street, Suite 330 Knoxville, TN 37902, an objection within 21 days from the date this paper was filed and serve a copy on the movants' attorney, Ryan E. Jarrard, Esquire, Quist, Fitzpatrick & Jarrard, PLLC, 2121 First Tennessee Plaza, Knoxville, TN 37929-9711, or rej@qcflaw.com. If you file and serve an objection within the time permitted, the court will schedule a hearing and you will be notified. If you do not file an objection within the time permitted, the court will consider that you do not oppose the granting of the relief requested in this paper and may grant the relief requested without further notice or hearing.

**Your rights may be affected. You should read these papers carefully and discuss them with your attorney, if you have one in this bankruptcy case. If you do not have an attorney, you may wish to consult one.**

Comes Michael H. Fitzpatrick, Trustee, pursuant to 11 U.S.C. §327(a) and Fed.

R. Bankr. P. 2014 and 6005, and hereby makes application to the Court to employ an auctioneer for the sale of certain assets of this estate. The following is submitted in support of the Trustee's application:

1. Michael H. Fitzpatrick is the duly appointed and qualified Trustee in this case.
2. He desires to sell, at public auction, personal property consisting of a 2012 Dodge

Ram F350 Laramie Edition truck

3. He has the authority, under 11 U.S.C. §327(a) and Fed. R. Bankr. P. 2014 and 6005 to employ an auctioneer with the Court's approval.

4. He desires to employ Powell Auction & Realty Company for said auction. To the best of the applicant's knowledge, the proposed auctioneer has no connection with the debtor, creditors,

or any other party in interest, their respective attorneys and accountants. Further the Trustee believes said auctioneer to be a disinterested person under the provisions of 11 U.S.C. §101(14).

5. The Trustee proposes to employ Powell Auction & Realty Company for a fee of 10% buyers premium, and potential expenses not to exceed \$1,500.00

WHEREFORE, the undersigned Trustee requests the Court's approval to employ Powell Auction Company, upon the terms and conditions stated above nunc pro tunc to the filing of this application.

Is/ Ryan E. Jarrard

Ryan E. Jarrard,

BPR No. 024525

QUIST, FITZPATRICK & JARRARD, PLLC

2121 First Tennessee Plaza

Knoxville, TN 37929-9711

Phone: (865) 524-1873

ext. 222

rej@qcflaw.com

CERTIFICATE OF  
SERVICE

I hereby certify that a true and correct copy of the foregoing Application, Affidavit and Proposed Order was mailed, by U. S. Mail postage prepaid, to the persons shown below at the indicated addresses on October 25, 2019:

U.S. Trustee  
Via ECF

Elliott J. Shuchardt  
Via ECF

Powell Auction & Realty Company  
6729 Pleasant Ridge Road  
Knoxville, TN 37921

All parties in interest as shown on the  
attached list via US Mail.

*Is/ Ryan E. Jarrard*  
Attorney